



MINUTES - VICTORIA CITY COUNCIL

March 7, 2024, 11:42 a.m.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees and Esquimalt Nations

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

ABSENT: Councillor Coleman

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, K. Hoese - Director of Sustainable Planning and Community Development, B. Roder - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Esquimalt First Nation communities, and encouraged those listening and attending in person to reflect as often as possible on their stewardship of these lands and the waters that surround them.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. CONSIDERATION OF MINUTES

Moved and Seconded:

That the following minutes be approved:

D.1 Minutes from the Daytime Council meeting held February 8, 2024

That the minutes from the Daytime Council meeting held February 8, 2024 be approved.

D.2 Minutes from the Evening Council meeting held February 8, 2024

That the minutes from the Evening Council meeting held February 8, 2024 be approved.

D.3 Minutes from the Daytime Council meeting held February 15, 2024

That the minutes from the Evening Council meeting held February 15, 2024 be approved.

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the February 22, 2024 COTW Meeting

F.1.a.a 586 Johnson St: Application for a New Liquor Primary Licence

Moved and Seconded:

That Council direct staff to provide the following response to the Liquor and Cannabis Regulation Branch:

1. That Council supports the application from Forged Axe Throwing, located at 586 Johnson Street, for a new liquor primary licence having hours of service Sunday to Thursday from 9 a.m. to 12 a.m. inside and 9 a.m. to 10 p.m. on the patio, and Friday and Saturday from 9 a.m. to 1 a.m. inside and 9 a.m. to 11 p.m. on the patio, with a total occupant load of 74 people to allow up to 50 people inside the establishment and up to 24 people in the licensed outdoor patio area.
2. Endorsement of the application is subject to receipt of an acoustic report from a qualified acoustic engineer with particular emphasis on the potential impact to adjacent residents, and the sound attenuation measures it prescribes being carried out, to the satisfaction of the Director of Sustainable Planning and Community Development.
3. The following comments are provided regarding the prescribed considerations:
 - a. If the application is approved, it is anticipated to have a positive economic impact on the community as the approval supports the viability of the business as a local employer.

- b. The views of residents were solicited through a mailout to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. In response to the notification that went to 899 owners and occupants, the City received 33 letters of correspondence. Of these letters, five expressed opposition and 28 expressed support for the proposal. A letter from the Downtown Residents Association notes support for the provision of late-night activities and concern regarding the potential noise impact on neighbouring residential units.
4. Council recommends to the Province that the liquor primary licence be approved as recommended.

OPPOSED (1): Councillor Gardiner

CARRIED (7 to 1)

F.1.a.b Zero Waste Victoria Update and Action Plan

Council discussed the following:

- *Provincial update*

Moved and Seconded:

That Council:

1. Endorse the proposed 2024-2027 Zero Waste Victoria action plan; and
2. Request the Mayor send a letter to the Minister of Environment and Climate Change Strategy to advocate for an expedited review of the City's proposed Single-Use Items Reduction Bylaw, and to consider implementing a similar policy province wide.

CARRIED UNANIMOUSLY

F.1.a.c Council Member Motion: Columbia Institute High Ground Civic Governance Forum

Moved and Seconded:

That Council authorize the attendance and associated costs for Councillor Thompson to attend the Columbia Institute's High Ground Civic Governance Forum to be held in Vancouver, BC, on March 22 and 23, 2024.

The approximate cost for attending is:

Conference Registration Fee (early bird)	\$ 467.00
Ferries to/from Vancouver	\$ 165.20
Mileage	\$ 99.40
Accommodation (2 nights)	\$ 600.00
Parking	\$ 90.00
Food & Incidentals (1 breakfast, 1 lunch, 1 dinner)	\$ 100.00

Estimated total cost = \$1,521.60

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.b Report from the March 07, 2024 COTW Meeting

F.1.b.a Council Member Motion: Centennial Square: The Fountain, Monoliths and Tiara

Moved and Seconded:

That Council request staff to provide online links to:

1. The Centennial Square Action Plan (June 2018) including the proposed phased transformation;
2. the 2018 consultation survey regarding Centennial Square

OPPOSED (3): Councillor Dell, Councillor Gardiner, and Councillor Hammond

CARRIED (5 to 3)

G. BYLAWS

G.1 Bylaw for 133 and 129/135 Gorge Road East: Rezoning Application No. 00843 and Development Permit with Variances Application No. 00257

Moved and Seconded:

That the following bylaw **be given first, second and third readings:**

1. Zoning Regulation Bylaw Amendment Bylaw (No. 1331) No. 24-008

CARRIED UNANIMOUSLY

G.2 Bylaw for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street: Rezoning Application No. 00830 and Development Permit Application with Variance Application No. 00247

Moved and Seconded:

That the following bylaw **be given first, second and third readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1332), 24-002

CARRIED UNANIMOUSLY

Moved and Seconded:

Development Permit with Variances

That Council, after adoption of the necessary Zoning Regulation Bylaw Amendment consider the following motion:

1. "That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorizes the issuance of Development Permit with Variances No. 00247 for 1900 Richmond Road, 1921, 1929, 1931/1933, and 1935 Ashgrove Street, in accordance with plans submitted to the Planning department and date stamped by Planning on **January 24, 2024**, subject to:
 - a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. increase the number of stories from 5 to 7;
 - ii. increase the height from 20.64m to 26.58m;
 - iii. increase the site coverage from 51.00% to 53.30%.
 - b. The property being consolidated into one lot.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

CARRIED UNANIMOUSLY

G.3 Bylaws for 722 and 726 Discovery Street: Rezoning Application No. 00820 and Development Permit with Variances Application No. 00207

Moved and Seconded:

That the following bylaws **be adopted:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1294) No. 23-018
2. Housing Agreement (722 and 726 Discovery Street) Bylaw (2024) No. 24-016

OPPOSED (1): Councillor Gardiner

CARRIED (7 to 1)

Moved and Seconded:

Development Permit with Variance Application

1. That Council authorize the issuance of Development Permit with Variances Application No. 00207 for 722 and 726 Discovery Street in accordance with:
 - a. Plan revisions to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Parks, Recreation and Facilities, with the overall intent of encouraging a greater sense of community wellbeing and belonging for the proposed residents as well as minimising potential impacts to the retained specimen trees, which at a minimum shall include but is not limited to the following:
 - i. revisions to the architectural finishes and fenestration patterns more consistent with the previously submitted plans of August 19, 2023, as well as exploring opportunities to mitigate the privacy impacts on the north elevation
 - ii. improvements to the front entrance to create a more welcoming and residential expression through the introduction of soft landscaping
 - iii. reduction in height of the street facing retaining wall and fence height and revisions to the fencing material to increase the transparency into the residential amenity space
 - iv. revisions to the landscaping on the west property boundary to include taller species that provides greater screening between the proposal and the building to the west
 - v. minimizing the proposed grading changes within the amenity space and reducing the number of landscape rock seating walls or implementing a design or construction method which requires less extensive regrading
 - vi. incorporating recommendations from the Arborist Report (dated April 24, 2023), specifically, screw piles and grade beams for the seating walls within the relevant design drawings, details, and specifications. Should the arborist recommendations not be achievable, then staff may consider alternative solutions at the discretion of the Director of Sustainable Planning and Community Development
 - vii. provision of further detail on the designed planting areas to clarify the soil volume available with the overall aim to increase the size class of Replacement Tree being proposed, and reduce the total required Cash-in-lieu compensation.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required rear yard setback for the principle building from 8m to 4m;
 - ii. reduce the required number of residential parking spaces from 18 to nil;

- iii. reduce the required number of commercial parking spaces from one to nil;
 - iv. reduce the required number of visitor parking spaces from nine to nil;
 - v. reduce the required number of long-term bicycle parking spaces from 90 to 30;
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

OPPOSED (1): Councillor Gardiner

CARRIED (7 to 1)

I. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE MARCH 07, 2024 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(c) labour relations or other employee relations;

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and

Section 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED UNANIMOUSLY

The Daytime Council meeting was closed to the public at 12:02 p.m.

J. INTRODUCTION OF LATE ITEMS

J.1 Legal Advice – Community Charter Section 90(1)(i)

This item was referred to the March 14, 2024 Closed Council meeting.

J.2 Land – Community Charter Section 90(1)(e)

That item **J.2 - Land – Community Charter Section 90(1)(e)** be added to the agenda as item M.2 and the remainder of the agenda be reordered accordingly.

CARRIED UNANIMOUSLY

K. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the closed agenda be approved as amended.

CARRIED UNANIMOUSLY

M. NEW BUSINESS

M.1 Legal Advice - Community Charter Section 90(1)(i)

Council discussed a legal matter. The discussion was recorded and kept confidential.

M.2 Land - Community Charter Section 90(1)(e)

Council discussed a land matter. The discussion was recorded and kept confidential.

M.3 Intergovernmental Relations - Community Charter Section 90(2)(b)

Council discussed an intergovernmental relations matter. The discussion was recorded and kept confidential.

M.4 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an employee relations matter. The discussion was recorded and kept confidential.

N. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 2:27 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

DRAFT